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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee

Rapporteur: Mrs. Cécile **Mballa Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item at its 42nd and 43rd meetings, on 2 and 3 November 2016, and considered proposals and took action under the item at its 47th, 50th and 57th meetings, on 10, 17 and 23 November. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees (A/71/12);

(b) Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (A/71/12/Add.1);

(c) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/71/354).

* Reissued for technical reasons on 15 December 2016.

[1] A/C.3/71/SR.42, A/C.3/71/SR.43, A/C.3/71/SR.47, A/C.3/71/SR.50 and A/C.3/71/SR.57.

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4. At the 42nd meeting, on 2 November, the United Nations High Commissioner for Refugees made an introductory statement and responded to questions posed and comments by the representatives of Algeria, Norway, Japan, the Islamic Republic of Iran, Greece, Iraq, Canada, South Africa, Jordan, Morocco, Ethiopia, Turkey, the Russian Federation and Colombia, as well as by the observer of the European Union.

II. Consideration of proposals

A. Draft resolution A/C.3/71/L.43

5. At the 47th meeting, on 10 November, the Committee had before it a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees" (A/C.3/71/L.43), submitted by Fiji, Lithuania and Paraguay.

6. At the same meeting, the Committee adopted the draft resolution (see para. 14, draft resolution I).

B. Draft resolution A/C.3/71/L.44

7. At the 50th meeting, on 17 November, the Committee had before it a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/71/L.44), submitted by Austria, Belgium, Bulgaria, Canada, Croatia, Denmark, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland and Zambia. Subsequently, Albania, Andorra, Argentina, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czechia, Estonia, Ethiopia, Georgia, Haiti, Honduras, Iceland, Latvia, Lithuania, Madagascar, Mexico, Monaco, Mongolia, Montenegro, Morocco, New Zealand, the Niger, Nigeria, Panama, Paraguay, the Philippines, Portugal, the Republic of Korea, Republic of Moldova, Romania, Serbia, Slovenia, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

8. At the same meeting, statements were made by the representatives of the United States of America, Switzerland (also on behalf of Liechtenstein and New Zealand), the United Kingdom of Great Britain and Northern Ireland, Cuba and Slovakia (on behalf of the European Union).

9. Also at the 50th meeting, the Committee adopted the draft resolution (see para. 14, draft resolution II).

C. Draft resolution A/C.3/71/L.51/Rev.1

10. At the 57th meeting, on 23 November, the Committee had before it a draft resolution entitled "Assistance to refugees, returnees and displaced persons in

Africa" (A/C.3/71/L.51/Rev.1), submitted by Botswana on behalf of the States Members of the United Nations that are members of the Group of African States.

11. At the same meeting, the representative of Ghana made a statement and orally revised the draft resolution on behalf of the Group of African States.[2] Subsequently, China and Timor-Leste joined in sponsoring the draft resolution, as orally revised.

12. Also at the 57th meeting, the Committee adopted the draft resolution, as orally revised (see para. 14, draft resolution III).

13. After the adoption of the draft resolution, statements were made by the representatives of Slovakia (on behalf of the European Union), Japan, Australia (also on behalf of Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland), Mexico and Cuba.

[2] See A/C.3/71/SR.50.

III. Recommendations of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2016/248 of 26 July 2016 and 2017/204 of 30 September 2016 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the note verbale dated 20 January 2016 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General,[1] the note verbale dated 7 July 2016 from the Permanent Mission of Fiji to the United Nations addressed to the Secretary-General[2] and the note verbale dated 15 September 2016 from the Permanent Mission of Lithuania to the United Nations addressed to the Secretary-General,[3]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from 98 States to 101 States;

2. *Requests* the Economic and Social Council to elect the additional members at a coordination and management meeting in 2017.

[1] E/2016/61.
[2] E/2016/78.
[3] E/2017/3.

Draft resolution II
Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session[2] and the decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing deep concern that the number of people who are forcibly displaced owing to, inter alia, conflict, persecution and violence, including terrorism, has reached the highest level since the Second World War,

Noting with grave concern that, despite the tremendous generosity of host countries and donors, including unprecedented levels of humanitarian funding, the gap between needs and humanitarian funding continues to grow,

Recognizing that forced displacement has, inter alia, humanitarian and development implications,

Expressing its appreciation for the leadership shown by the High Commissioner,

Commending the staff of the Office of the High Commissioner and its partners for the competent, courageous and dedicated manner in which they discharge their responsibilities,

Underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

Reaffirming the need for consistency with international law, including international refugee law, and relevant General Assembly resolutions that may concern the work of the Office of the High Commissioner, and taking into account national policies, priorities and realities,

Recalling its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations and all subsequent General Assembly resolutions on the subject, including resolution 70/106 of 10 December 2015,

1. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).

[2] Ibid., *Supplement No. 12A* (A/71/12/Add.1).

2. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session;[2]

3. *Welcomes* the resumption by the Executive Committee of the practice of adopting conclusions on international protection, and notes with appreciation the adoption of the conclusions on youth[3] and on international cooperation from a protection and solutions perspective;[4]

4. *Recalls* the high-level segments of the sixty-fourth, sixty-fifth and sixty-sixth sessions of the Executive Committee, renews its call upon all States to provide the necessary support with a view to sharing the burden of the host countries, and underscores the critical importance of development support for host communities;

5. *Notes with appreciation* the adoption of the New York Declaration for Refugees and Migrants[5] and the two annexes thereto at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, on 19 September 2016, and encourages States to implement the commitments made therein;

6. *Notes* the significant global and regional initiatives, conferences and summits undertaken in 2015 and 2016 to strengthen international solidarity with and cooperation for refugees and other persons of concern, specifically the Brussels conference on 4 and 5 October 2016, the high-level meeting on global responsibility-sharing through pathways for admission convened by the Office of the High Commissioner in Geneva on 30 March 2016, the London conference on 4 February 2016, the pledging conference in Brussels on 21 October 2015, and the World Humanitarian Summit in Istanbul, Turkey, on 23 and 24 May 2016,[6] while recognizing that this summit did not have an intergovernmentally agreed outcome, and encourages those who participated to implement their commitments made therein;

7. *Reaffirms* the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto[8] as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that 148 States are now parties to one or both instruments, encourages States not parties to consider acceding to those instruments and States parties with reservations to give consideration to withdrawing them, underlines, in particular, the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

8. *Urges* States that are parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto to respect their obligations in letter and spirit;

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[3] Ibid., chap. III, sect. B.
[4] Ibid., chap. III, sect. A.
[5] Resolution 71/1.
[6] See A/70/709.
[7] United Nations, *Treaty Series*, vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.

9. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

10. *Welcomes* recent accessions to the 1954 Convention relating to the Status of Stateless Persons[9] and the 1961 Convention on the Reduction of Statelessness,[10] and notes that 89 States are now parties to the 1954 Convention and 68 States are parties to the 1961 Convention, encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the United Nations High Commissioner for Refugees in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

11. *Re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community, in this regard welcomes the global campaign to end statelessness within a decade and encourages all States to consider actions they may take to further the prevention and reduction of statelessness, and welcomes efforts that have been made by States in this regard;

12. *Also re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community, aimed at, inter alia, facilitating voluntary, safe and dignified return to their homes;

13. *Notes* the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be carried out with the full consent of the affected States, consistent with relevant General Assembly resolutions, and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

14. *Encourages* the Office of the High Commissioner to continue to respond adequately to emergencies, in accordance with its mandate and in cooperation with States, notes the measures taken by the Office to strengthen its capacity to respond to emergencies, and encourages the Office to pursue its efforts to further strengthen its emergency capacity and thereby ensure a more predictable, effective and timely response;

15. *Also encourages* the Office of the High Commissioner to work in partnership and in full cooperation with relevant national authorities, United Nations offices and agencies, international and intergovernmental organizations, regional organizations, the private sector and non-governmental organizations to contribute to the continued development of humanitarian response capacities at all levels, and

[9] Ibid., vol. 360, No. 5158.
[10] Ibid., vol. 989, No. 14458.

recalls the role of the Office as the leading entity of the clusters for protection, camp coordination and management and emergency shelter in complex emergencies;

16. *Further encourages* the Office of the High Commissioner, among other relevant United Nations and other relevant intergovernmental organizations and humanitarian and development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian response and to contribute, in consultation with States, as appropriate, to making further progress towards common humanitarian needs assessments, as stated, among other important issues, in General Assembly resolution 70/106 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations;

17. *Welcomes* the recent efforts by the Office of the High Commissioner to ensure a more inclusive, transparent, predictable and well-coordinated response, to refugees as well as internally displaced persons and other persons of concern, consistent with its mandate, and in this regard takes note of the implementation of the refugee coordination model;

18. *Takes note with appreciation* of the elements set out in the comprehensive refugee response framework contained in annex I to the New York Declaration for Refugees and Migrants,[5] and recalls the request to the Office of the High Commissioner to develop and initiate a comprehensive refugee response based on the principles of international cooperation and on burden- and responsibility-sharing, in close coordination with relevant States, including host countries, and involving other relevant United Nations entities as laid out in annex I to the New York Declaration;

19. *Underlines* the centrality of international cooperation to the refugee protection regime, recognizes the burden that large movements of refugees places on major and long-standing refugee hosting countries and their host communities, and their national resources, especially in the case of developing countries, and calls for a more equitable sharing of the burden and responsibility for hosting and supporting the world's refugees, addressing the needs of refugees and receiving States, while taking account of existing contributions and the differing capacities and resources among States, noting the need for concrete arrangements for equitable and efficient burden- and responsibility-sharing to be elaborated within the framework of the evolving global compact on responsibility-sharing for refugees;

20. *Encourages* the Office of the High Commissioner to engage in and implement in full the objectives of the "Delivering as one" initiative;

21. *Notes with appreciation* the measures taken and efficiencies gained in the process of structural and management change to reinforce the capacity of the Office of the High Commissioner, and encourages the Office to focus on continuous improvement in order to enable a more efficient response to the needs of persons of concern, including identifying unmet needs, and to ensure the effective and transparent use of its resources;

22. *Expresses deep concern* about the increasing threats to the safety and security of humanitarian aid workers and convoys and, in particular, the loss of life of humanitarian personnel working in the most difficult and challenging conditions in order to assist those in need;

23. *Emphasizes* the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity and that the perpetrators of such acts are promptly brought to justice as provided for by national laws and obligations under international law;

24. *Strongly condemns* attacks on refugees, asylum seekers and internally displaced persons and acts that pose a threat to their personal security and well-being, and calls upon all States concerned and, where applicable, parties involved in an armed conflict to take all measures necessary to respect and ensure respect for human rights and international humanitarian law;

25. *Deplores* the refoulement and unlawful expulsion of refugees and asylum seekers, and calls upon all States concerned to respect the relevant principles of refugee protection and human rights;

26. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees in secure locations and to afford to the Office of the High Commissioner and, where appropriate, other humanitarian organizations prompt, unhindered and safe access to asylum seekers, refugees and other persons of concern;

27. *Notes with increasing concern* that asylum seekers, refugees and stateless persons are subject to arbitrary detention in numerous situations and encourages working towards the ending of this practice, welcomes the increasing use of alternatives to detention, especially in the case of children, and emphasizes the need for States to limit detention of asylum seekers, refugees and stateless persons to that which is necessary, giving full consideration to possible alternatives;

28. *Notes with grave concern* the significant risks to which many refugees and asylum seekers are exposed as they attempt to reach safety, and encourages international cooperation to ensure adequate response mechanisms, including life-saving measures, reception, registration and assistance, as well as to ensure that safe and regular access to asylum for persons in need of international protection remains open and accessible;

29. *Expresses grave concern* at the large number of asylum seekers who have lost their lives at sea trying to reach safety, encourages international cooperation to further strengthen search and rescue mechanisms in accordance with international law, and commends the great life-saving efforts and actions taken by a number of States in this regard;

30. *Emphasizes* that the international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

31. *Expresses deep concern* about the long-term impact of cuts in food rations on the health and well-being of refugees globally, particularly in Africa and the Middle East, and especially its impact on children, owing to insufficient funding and increased costs, and in this regard calls upon States to ensure sustained support for the Office of the High Commissioner and the World Food Programme, while looking to provide refugees with alternatives to food assistance, pending a durable solution;

32. *Welcomes* the positive steps taken by individual States to open their labour markets to refugees;

33. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and of State policies, also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-based violence, recognizing the importance of addressing the protection needs of women, children and persons with disabilities in particular, and underlines the importance of continuing to work on those issues;

34. *Notes with concern* that a large proportion of the world's out-of-school population lives in conflict-affected areas, and welcomes the commitment in the New York Declaration to lend host countries support in providing quality primary and secondary education in safe learning environments for all refugee children, and to do so within a few months of the initial displacement, as well as the commitment made in the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all to developing more inclusive, responsive and resilient education systems to meet the needs of children, youth and adults in these contexts, including internally displaced persons and refugees;

35. *Notes* the efforts by the Office of the High Commissioner to improve its humanitarian assistance response, and stresses the importance of tailored, innovative approaches, including cash-based interventions;

36. *Also notes* that the lack of civil registration and related documentation makes persons vulnerable to statelessness and associated protection risks, recognizes that birth registration provides an official record of a child's legal identity and is crucial to preventing and reducing statelessness, and welcomes efforts by States to ensure the birth registration of children;

37. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking durable solutions to refugee situations, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

38. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, recognizes that the average length of stay has continued to grow, and emphasizes the need to redouble international efforts and

cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

39. *Recognizes* the importance of achieving durable solutions to refugee situations, and, in particular, the need to address in this process the root causes of refugee movements;

40. *Encourages* further efforts by the Office of the High Commissioner, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to actively promote durable solutions, particularly in protracted refugee situations, with a focus on sustainable, timely, voluntary, safe and dignified return, which encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States and other relevant actors to continue to support these efforts through, inter alia, the allocation of funds;

41. *Expresses concern* about the current low level of voluntary repatriation, encourages the solution-oriented approach pursued by the Office of the High Commissioner to support the sustainability of voluntary repatriation and reintegration, including from the onset of displacement, and in this regard urges the Office to further strengthen partnerships with national Governments and development actors, as well as international financial institutions;

42. *Recognizes*, in the context of voluntary repatriation, the importance of resolute efforts in the country of origin, including rehabilitation and development assistance, to foster the voluntary, safe and dignified return and sustainable reintegration of refugees and to ensure the restoration of national protection;

43. *Acknowledges with appreciation* voluntary action taken by several host countries to enable permanent residence and naturalization for refugees and former refugees;

44. *Calls upon* States to create opportunities for resettlement as a durable solution, acknowledges with appreciation the many countries that continue to offer enhanced resettlement opportunities and recognizes the need to further increase the number of resettlement places and the number of countries with regular resettlement programmes and to improve the integration of resettled refugees, calls upon States to ensure inclusive and non-discriminatory policies in their resettlement programmes, and notes that resettlement is a strategic protection tool and solution for refugees, recalling in this regard the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees;

45. *Also calls upon* States to consider creating, expanding or facilitating access to complementary and sustainable pathways to protection and solutions for refugees, in cooperation with relevant partners, including the private sector, where appropriate, including through humanitarian admission or transfer, family reunification, skilled migration, labour mobility schemes, scholarships and education mobility schemes;

46. *Notes with appreciation* the activities undertaken by States to strengthen the regional initiatives that facilitate cooperative policies and approaches on refugees, and encourages States to continue their efforts to address, in a comprehensive manner, the needs of the people who require international protection in their respective regions, including the support provided for host communities that receive large numbers of persons who require international protection;

47. *Notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows in order to better address protection needs in the context of mixed migratory flows, bearing in mind the particular needs of vulnerable groups, especially women, children and persons with disabilities, including by safeguarding access to asylum for those in need of international protection, and also notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

48. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

49. *Expresses concern* about the challenges associated with climate change and environmental degradation to the operations of the Office of the High Commissioner and the assistance it provides to vulnerable populations of concern across the globe, particularly in the least developed countries, and urges the Office to continue to address such challenges in its work, within its mandate, and in consultation with national authorities and in cooperation with competent agencies in its operations;

50. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources, including through financial and in-kind assistance, as well as direct aid to host countries, refugee populations and the communities hosting them, with a view to enhancing the capacity of and reducing the heavy burden borne by countries and communities hosting refugees, in particular those that have received large numbers of refugees and asylum seekers, and whose generosity is appreciated;

51. *Calls upon* the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental, developmental, security and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition, and notes with appreciation those host countries, donor States, organizations and individuals that contribute to improving the condition of refugees through building the resilience of refugees and their host communities, while working towards a durable solution;

52. *Expresses concern* that the needs required to protect and assist persons of concern to the Office of the High Commissioner continue to increase and that the

gap between global needs and available resources continues to grow, appreciates the continued and increasing hospitality of host countries and generosity of donors, and therefore calls upon the Office to continue and enhance efforts to broaden its donor base so as to achieve greater burden- and responsibility-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

53. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute[11] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolution 58/153 of 22 December 2003 and subsequent resolutions on the Office of the High Commissioner concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

54. *Requests* the High Commissioner to report on his annual activities to the General Assembly at its seventy-second session.

[11] Resolution 428 (V), annex

Draft resolution III
Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Welcoming the entry into force on 6 December 2012 and the ongoing process of ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which mark a significant step towards strengthening the national and regional normative frameworks for the protection of and assistance to internally displaced persons,

Recognizing the particular vulnerability of women and children among refugees and displaced persons, including exposure to discrimination and sexual and physical abuse, violence and exploitation and the recruitment and use of children by parties to armed conflict in violation of applicable international law, and in this regard acknowledging the importance of preventing, responding to and addressing sexual and gender-based violence as well as violations and abuses committed against refugee, returnee and displaced children,

Gravely concerned about the rising number of refugees and displaced persons in various parts of the continent,

Acknowledging the efforts of Member States, the United Nations High Commissioner for Refugees and other stakeholders in improving the situation of refugees,

Expressing grave concern about funding gaps in responding to various refugee situations in different parts of Africa, which are a major factor leading to the deterioration in living conditions in many refugee camps in Africa,

Recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV and AIDS, malaria and other diseases,

Recalling the high-level segment on the theme "Enhancing international cooperation, solidarity, local capacities and humanitarian action for refugees in Africa" of the sixty-fifth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, held in Geneva from 29 September to 3 October 2014, and the statement adopted on 30 September 2014

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[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.
[2] Ibid., vol. 1520, No. 26363.
[3] Ibid., vol. 189, No. 2545.
[4] Ibid., vol. 606, No. 8791.

by States members of the Executive Committee,[5] and expressing deep concern that this particular event has not mobilized the necessary support for refugees and their hosting countries and communities,

Welcoming the hosting of the regional ministerial meeting on the Global Initiative on Somali Refugees, held in Addis Ababa on 20 August 2014, endorsing the Addis Ababa Commitment towards Somali Refugees adopted during the ministerial meeting, and welcoming the pledging conference, held in Brussels on 21 October 2015, to mobilize the support and resources needed to achieve solutions for Somali refugees through the creation of conditions conducive to safe and dignified returns as well as the enhancement of the sustainable integration of displaced persons,

Recalling the Pact on Security, Stability and Development in the Great Lakes Region, adopted by the International Conference on the Great Lakes Region in 2006, and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons,

Acknowledging with appreciation the generosity, hospitality and spirit of solidarity of African States that, despite their limited resources, continue to host a large number of refugees, owing to humanitarian crises and protracted refugee situations, in this regard expressing particular appreciation for the commitment and efforts of neighbouring countries in the recent humanitarian crises on the continent, welcoming efforts by African States that endeavour to facilitate the voluntary repatriation, local integration, resettlement and rehabilitation of refugees and to promote conditions conducive to the voluntary return and sustainable reintegration of refugees in their country of origin, and also acknowledging with appreciation the coordination of humanitarian assistance by the United Nations as well as the continuing efforts of donors, the United Nations system, including the Office of the United Nations High Commissioner for Refugees, regional organizations, international agencies, non-governmental organizations and other partners, with regard to, inter alia, integration, voluntary return, reintegration and resettlement, in addressing the plight of refugees during emergencies,

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory and need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing, and recognizing also the efforts of all States in this regard,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem, in appropriate cooperation with the international community,

Recognizing the need to expand resettlement opportunities,

Recognizing also the need to encourage increased efforts towards voluntary return and local integration,

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[5] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 12A* (A/69/12/Add.1), annex I.

Welcoming the ongoing implementation of pledges made by States at the intergovernmental ministerial event held in 2011 to mark the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees and the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness,[6]

Taking note of the World Humanitarian Summit, held in Istanbul, Turkey, on 23 and 24 May 2016, while recognizing that it did not have an intergovernmentally agreed outcome, and welcoming the commitment of the African Heads of State and Government, adopted by the African Union, on the theme "One Africa. One Voice, One Message at the World Humanitarian Summit",

1. *Takes note* of the reports of the Secretary-General[7] and the United Nations High Commissioner for Refugees;[8]

2. *Calls upon* African States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its wider implementation;

3. *Notes* the need for African States to resolutely address the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall flows of refugees;

4. *Notes with great concern* that, despite all the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious and the number of refugees and internally displaced persons has dramatically increased, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Welcomes* decisions EX.CL/Dec.854 (XXVI) and EX.CL/Dec.877 (XXVII) adopted by the Executive Council of the African Union at its twenty-sixth ordinary session, held in Addis Ababa from 23 to 27 January 2015, and at its twenty-seventh ordinary session, held in Johannesburg, South Africa, from 7 to 12 June 2015, on the humanitarian situation in Africa, insofar as they relate to persons of concern to the Office of the United Nations High Commissioner for Refugees;

6. *Expresses its appreciation* for the leadership shown by the Office of the High Commissioner, and commends the Office for its ongoing efforts, with the support of the international community, to assist African States hosting large numbers of refugees, including by providing support to vulnerable local host communities, and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

7. *Notes with appreciation* the initiatives taken by the African Union, the Subcommittee on Refugees, Returnees and Internally Displaced Persons of its Permanent Representatives Committee and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees,

[6] United Nations, *Treaty Series*, vol. 989, No. 14458.

[7] A/71/354.

[8] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).

Asylum Seekers, Migrants and Internally Displaced Persons in Africa, to ensure the protection of and assistance to refugees, returnees and displaced persons in Africa;

8. *Acknowledges* the important contribution of age, gender and diversity mainstreaming in identifying, through a participatory approach, the protection risks faced by the different members of the refugee communities, in particular the non-discriminatory treatment and protection of women, children, persons with disabilities and the elderly;

9. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration into new societies, protracted situations of displacement and statelessness can increase child protection risks, taking into account the particular vulnerability of displaced children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, as well as the recruitment and use of children by parties to armed conflict in violation of applicable international law, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

10. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of voluntary return, reintegration and resettlement;

11. *Reaffirms* the conclusion on civil registration by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its sixty-fourth session, held in Geneva from 30 September to 4 October 2013,[9] and recognizes the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

12. *Also reaffirms* the conclusion on registration of refugees and asylum seekers adopted by the Executive Committee of the Programme of the High Commissioner at its fifty-second session,[10] notes the many forms of harassment faced by refugees and asylum seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

13. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute

[9] Ibid., *Sixty-eighth Session, Supplement No. 12A* (A/68/12/Add.1), chap. III, sect. A.
[10] Ibid., *Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

generously to projects and programmes aimed at alleviating their plight, facilitating durable solutions and supporting vulnerable local host communities;

14. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern with regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

15. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

16. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all measures necessary to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

17. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

18. *Deplores* the continuing violence and insecurity, which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all measures necessary to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

19. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum seekers and internally displaced persons, and encourages African States that have not yet done so to consider ratifying and enforcing the Convention on the Safety of United Nations and Associated Personnel;[11]

20. *Calls upon* the Office of the High Commissioner, the international community, donors and other entities concerned to continue and, where appropriate, to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical, legal and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular to those Governments that have received large numbers of refugees and asylum seekers;

21. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

22. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

23. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

24. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement, where appropriate and feasible;

[11] United Nations, *Treaty Series*, vol. 2051, No. 35457.

25. *Expresses serious concern* about the expected reduction of the budget allocated to provide humanitarian assistance to refugees and internally displaced persons in Africa in 2016 and 2017;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons, where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including the improvement of international burden- and responsibility-sharing and the realization of durable solutions, within a multilateral context, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, welcomes the efforts of African States in strengthening the regional mechanisms for the protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[12] notes the current activities of the Office of the High Commissioner related to the protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Encourages* African States, together with development and humanitarian actors, to work closely on multi-year strategies for refugees and internally displaced persons;

31. *Invites* the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Council and the General Assembly;

[12] E/CN.4/1998/53/Add.2, annex.

32. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its seventy-second session, taking fully into account, inter alia, the efforts expended by countries of asylum and those aimed at bridging funding gaps, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

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Agenda item 63

Report of the Human Rights Council

Report of the Third Committee

Rapporteur: Ms. Cécile **Mballa Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "Report of the Human Rights Council" and to allocate it to both the plenary and the Third Committee, in accordance with its resolution 65/281 and its decision 65/503 A.

2. The Third Committee held a general discussion on the item at its 45th and 46th meetings, on 4 and 8 November 2016, and considered a proposal and took action under the item at its 49th and 53rd meetings, on 15 and 21 November 2016. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the reports of the Human Rights Council on its twenty-fourth special session, thirty-first session and thirty-second session (A/71/53), on its thirty-third session (A/71/53/Add.1), and on its twenty-fifth special session (A/71/53/Add.2).

4. At the 45th meeting, on 4 November, the President of the Human Rights Council made a statement and engaged in a dialogue with the representatives of Algeria, China, South Africa, Argentina, the United Kingdom of Great Britain and Northern Ireland, Costa Rica, the Republic of Korea, Brazil, Maldives, Ireland, Mexico, Germany, the Russian Federation, Liechtenstein (also on behalf of Australia, Iceland, New Zealand, Norway and Switzerland), Canada, Hungary, Iraq, the Sudan, Denmark, Indonesia, Ethiopia, the United States of America, Palau,

* Reissued for technical reasons on 15 December 2016.
[1] A/C.3/71/SR.45, A/C.3/71/SR.46, A/C.3/71/SR.49 and A/C.3/71/SR.53.

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Morocco, Egypt, Switzerland, the Syrian Arab Republic, India and Burundi, as well as with the observer of the European Union.

II. Consideration of draft resolution A/C.3/71/L.46 and the amendment thereto contained in document A/C.3/71/L.52

5. At the 49th meeting, on 15 November, the representative of Botswana, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "Report of the Human Rights Council" (A/C.3/71/L.46) and orally revised operative paragraph 2 thereof.[2] Subsequently, Pakistan, Qatar, the Russian Federation, Saudi Arabia and the United Arab Emirates joined in sponsoring the draft resolution.

6. At the 53rd meeting, on 21 November, the representative of Botswana, on behalf of the States Members of the United Nations that are members of the Group of African States, made a statement. Subsequently, Yemen joined in sponsoring the draft resolution.

Action on the amendment contained in document A/C.3/71/L.52

7. At the same meeting, the Chair drew the attention of the Committee to the amendment to draft resolution A/C.3/71/L.46, submitted by Albania, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Portugal, the Republic of Korea, the Republic of Moldova, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, contained in document A/C.3/71/L.52.

8. At the same meeting, the representative of Brazil made a statement in connection with the draft amendment.

9. Subsequently, Bosnia and Herzegovina, Georgia, Honduras, Hungary, Poland, Romania, Serbia, the former Yugoslav Republic of Macedonia and Ukraine joined in sponsoring the draft amendment.

10. Also at the same meeting, the Committee adopted the amendment contained in document A/C.3/71/L.52 by a recorded vote of 84 to 77, with 17 abstentions. The voting was as follows:

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania,

[2] See A/C.3/71/SR.49.

Luxembourg, Malta, Marshall Islands, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam.

Against:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahrain, Bangladesh, Belarus, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, China, Comoros, Congo, Côte d'Ivoire, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Namibia, Nauru, Nicaragua, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Togo, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

Abstaining:

Armenia, Barbados, Bhutan, Ecuador, Guinea-Bissau, Haiti, India, Kazakhstan, Liberia, Myanmar, Nepal, Papua New Guinea, Paraguay, Philippines, Rwanda, Somalia, Trinidad and Tobago.

11. Before the vote, statements were made by the representatives of Botswana (on behalf of the Group of African States), Slovakia (on behalf of the European Union), the United States, the Republic of Korea, Mexico, Japan, Egypt (on behalf of the Organization of Islamic Cooperation), Thailand, the Congo, Singapore, Israel, Jamaica, Yemen, Cameroon, the Russian Federation, South Africa, Burundi and Nigeria.

12. After the vote, statements were made by the representatives of Norway (also on behalf of Australia, Canada, Iceland, Liechtenstein, New Zealand and Switzerland), Paraguay, Malaysia and Chile (also on behalf of Argentina, Brazil, Colombia, Costa Rica, El Salvador, Mexico and Uruguay).

Action on draft resolution A/C.3/71/L.46 as a whole

13. At the 53rd meeting, on 21 November, the representative of the Russian Federation made a statement and announced the withdrawal of its co-sponsorship of the draft resolution, as orally revised and amended.

14. At the same meeting, the Committee adopted draft resolution A/C.3/71/L.46 as orally revised and amended, by a recorded vote of 94 to 3, with 80 abstentions (see para. 17). The voting was as follows:[3]

[3] The delegations of Mali and Mauritius subsequently indicated that they had intended to vote in favour.

In favour:

Afghanistan, Algeria, Angola, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Honduras, India, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Morocco, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Seychelles, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Thailand, Timor-Leste, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Belarus, Israel, Mauritius.

Abstaining:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Italy, Japan, Kazakhstan, Kiribati, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Mali, Malta, Monaco, Mongolia, Montenegro, Myanmar, Netherlands, New Zealand, Norway, Palau, Papua New Guinea, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Vanuatu.

15. Before the vote, statements were made by the representatives of the Russian Federation, Botswana (on behalf of the Group of African States), Egypt (on behalf of the Organization of Islamic Cooperation), Nigeria, Israel and Liechtenstein (also on behalf of Australia, Canada, Iceland, New Zealand, Norway and Switzerland).

16. After the vote, statements were made by the representatives of Slovakia (on behalf of the European Union), Costa Rica, the United Kingdom of Great Britain and Northern Ireland, Nauru, Singapore, Belarus, the Islamic Republic of Iran, Botswana (on behalf of the Group of African States), Mauritania, Jamaica, Libya, Uganda, Cameroon, Yemen, the Sudan, the United Republic of Tanzania and Niger.

III. Recommendation of the Third Committee

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Human Rights Council

The General Assembly,

Recalling its resolutions 60/251 of 15 March 2006, by which it established the Human Rights Council, and 65/281 of 17 June 2011 on the review of the Council,

Recalling also its resolutions 62/219 of 22 December 2007, 63/160 of 18 December 2008, 64/143 of 18 December 2009, 65/195 of 21 December 2010, 66/136 of 19 December 2011, 67/151 of 20 December 2012, 68/144 of 18 December 2013, 69/155 of 18 December 2014 and 70/136 of 17 December 2015,

Having considered the recommendations contained in the report of the Human Rights Council,[1,2]

1. *Takes note* of the report of the Human Rights Council,[1] including the addenda thereto,[2] and its recommendations.

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53).
[2] Ibid., *Supplement No. 53* (A/71/53/Add.1 and Add.2).

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Promotion and protection of the rights of children

Report of the Third Committee

Rapporteur: Mrs. Cécile Mballa **Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled:

"Promotion and protection of the rights of children:

"(a) Promotion and protection of the rights of children;

"(b) Follow-up to the outcome of the special session on children"

and to allocate it to the Third Committee.

2. The Third Committee began its consideration of the item at its 12th meeting, on 12 October, and held a general discussion on the item at its 13th to 16th meetings, on 13 and 14 October 2016. The Committee considered proposals and took action under the item at its 36th and 55th meetings, on 28 October and on 22 November. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Rights of the Child (A/71/41);

(b) Report of the Secretary-General on the follow-up to the outcome of the special session of the General Assembly on children (A/71/175);

[1] A/C.3/71/SR.12, A/C.3/71/SR.13, A/C.3/71/SR.14, A/C.3/71/SR.15, A/C.3/71/SR.16, A/C.3/71/SR.36 and A/C.3/71/SR.55.

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(c) Report of the Secretary-General on protecting children from bullying (A/71/213);

(d) Report of the Secretary-General on child, early and forced marriage (A/71/253);

(e) Report of the Secretary-General on collaboration within the United Nations system on child protection (A/71/277);

(f) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/71/413);

(g) Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/71/205);

(h) Annual report of the Special Representative of the Secretary-General on Violence against Children (A/71/206);

(i) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography (A/71/261).

4. At its 12th meeting, on 12 October, the Committee heard an introductory statement by the Special Representative of the Secretary-General for Children and Armed Conflict, who responded to questions posed and comments made by the representatives of Spain, the United States of America, Liechtenstein, Tunisia, Qatar, Slovenia, Lithuania, South Africa, Australia, Mexico, Colombia, Switzerland, Austria, the Russian Federation, Yemen, the Syrian Arab Republic, Estonia, Germany, Norway, the Sudan, Costa Rica, Portugal, Algeria, New Zealand, Eritrea and Azerbaijan and by the observers of the European Union and the State of Palestine.

5. At the same meeting, the Special Representative of the Secretary-General on Violence against Children made an introductory statement and responded to the questions posed and comments made by the representatives of Brazil, Spain, Estonia, Mexico, Switzerland, Portugal, Qatar, Austria, Chile, Norway, Slovenia, Thailand, the United States, Costa Rica, the Maldives, the United Kingdom of Great Britain and Northern Ireland, Morocco, Saudi Arabia and Colombia and by the observer of the European Union.

6. Also at the same meeting, the Deputy Executive Director of the United Nations Children's Fund made an introductory statement.

7. At its 13th meeting, on 13 October, the Committee heard an introductory statement by the Chief of the Equality and Non-Discrimination Section of the Office of the United Nations High Commissioner for Human Rights in New York.

8. At the same meeting, the Chair of the Committee on the Rights of the Child made an introductory statement and responded to the questions posed and the comments made by the representatives of Mexico and Ireland and by the observer of the European Union.

9. Also at the same meeting, the Special Rapporteur on the sale of children, child prostitution and child pornography made an introductory statement and responded to the questions posed and the comments made by the representatives of the United

States, South Africa, Slovenia, Mexico, Nigeria, Georgia, the Russian Federation, the United Kingdom and Morocco and by the observer of the European Union.

II. Consideration of proposals

A. Draft resolutions A/C.3/71/L.13 and Rev.1

10. At the 36th meeting, on 28 October, the representative of Canada, on behalf of Canada, Iceland, Italy, Mongolia, the Netherlands, Peru, the United Kingdom and Zambia, introduced a draft resolution entitled "Child, early and forced marriage" (A/C.3/71/L.13). Subsequently, Argentina, Armenia, Bosnia and Herzegovina, Burkina Faso, Cabo Verde, Côte d'Ivoire, Georgia, Kenya, Morocco and Rwanda joined in sponsoring the draft resolution.

11. At its 55th meeting, on 22 November, the Committee had before it a revised draft resolution (A/C.3/71/L.13/Rev.1) submitted by the sponsors of draft resolution A/C.3/71/L.13 and Australia, Benin, Bolivia (Plurinational State of), Bulgaria, the Central African Republic, Chile, Guatemala, Guinea, Guinea-Bissau, Israel, Lebanon, Liberia, Liechtenstein, Madagascar, Norway, Palau, Panama, Paraguay, Spain, Thailand, the former Yugoslav Republic of Macedonia, the United States, Venezuela (Bolivarian Republic of) and Viet Nam. Subsequently, Albania, Andorra, Angola, Austria, Belgium, Brazil, Burundi, Chad, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, the Dominican Republic, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Honduras, Hungary, Ireland, Japan, Kazakhstan, Latvia, Lesotho, Lithuania, Luxembourg, Malta, the Marshall Islands, Mexico, Monaco, Montenegro, New Zealand, Papua New Guinea, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Sweden, Switzerland, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, the United Republic of Tanzania, Uruguay and Vanuatu joined in sponsoring the draft resolution.

12. At the same meeting, the representative of Zambia made a statement and orally revised operative paragraphs 4 and 13 of the draft resolution [2].

13. Also at the same meeting, the Secretary of the Committee read out a statement of programme budget implications in connection with the draft resolution.

14. Also at the 55th meeting, on 22 November, the Committee adopted draft resolution A/C.3/71/L.13/Rev.1, as orally revised (see para. 29, draft resolution I).

15. After the adoption of the draft resolution, statements were made by the representatives of Mexico, Guyana (on behalf of the Caribbean Community) and Qatar (on behalf of the Cooperation Council for the Arab States of the Gulf) and by the observer of the Holy See.

[2] See A/C.3/71/SR.55.

B. Draft resolution A/C.3/71/L.18/Rev.1

16. At the 55th meeting, on 22 November, the Committee had before it a draft resolution entitled "Protecting children from bullying" (A/C.3/71/L.18/Rev.1) which replaced draft resolution A/C.3/71/L.18 and was submitted by Armenia, Australia, Canada, the Central African Republic, Colombia, Honduras, Iceland, Israel, Liberia, Mexico, New Zealand, Norway, Palau, Paraguay, Peru, Spain, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Albania, Andorra, Argentina, Austria, the Bahamas, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Chad, Chile, Costa Rica, Croatia, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Indonesia, Ireland, Italy, Japan, Kazakhstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Montenegro, Morocco, the Netherlands, Nicaragua, Panama, the Philippines, Poland, Portugal, the Republic of Korea, Romania, San Marino, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom, the United Republic of Tanzania and the United States joined in sponsoring the draft resolution.

17. At the same meeting, the Secretary of the Committee read out a statement of programme budget implications in connection with the draft resolution.

18. Also at the same meeting, the representative of Mexico made a statement.

19. Also at its 55th meeting, on 22 November, the Committee adopted draft resolution A/C.3/71/L.18/Rev.1 (see para. 29, draft resolution II).

20. After the adoption of the draft resolution, statements were made by the representatives of Slovakia (on behalf of the European Union) and Iceland (also on behalf of Albania, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, El Salvador, Finland, France, Germany, Honduras, Italy, Ireland, Israel, Japan, Latvia, Lichtenstein, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Peru, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom, the United States and Uruguay).

C. Draft resolution A/C.3/71/L.20/Rev.1

21. At the 55th meeting, on 22 November, the Committee had before it a draft resolution entitled "Rights of the child" (A/C.3/71/L.20/Rev.1), which replaced draft resolution A/C.3/71/L.20 and was submitted by Albania, Andorra, Antigua and Barbuda, Argentina, Austria, the Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, the Central African Republic, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Latvia, Lebanon, Liberia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, the Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia,

Saint Vincent and the Grenadines, San Marino, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Ukraine, the United Kingdom, Uruguay and Venezuela (Bolivarian Republic of). Subsequently, Armenia, Australia, Canada, Chad, Japan, Lesotho, Liechtenstein, New Zealand, Palau, Papua New Guinea, the Philippines, the Republic of Korea, Sri Lanka, Switzerland and Turkey joined in sponsoring the draft resolution.

22. At the same meeting, the representative of Uruguay made a statement.

23. Also at the same meeting, the representative of the Sudan made a statement and proposed an oral amendment to operative paragraph 36 of the draft resolution, so that it read:

> "*Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable and promptly bring them to justice as provided for by national laws and obligations under international law".

24. Also at the 55th meeting, the representative of Uruguay requested a recorded vote on the proposed amendment.

25. At the same meeting, on 22 November, the Committee rejected the oral amendment by a recorded vote of 100 to 23, with 33 abstentions. The voting was as follows:

In favour:

> Algeria, Belarus, Cameroon, China, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Gambia, Guyana, Iraq, Kuwait, Lao People's Democratic Republic, Morocco, Myanmar, Oman, Pakistan, Russian Federation, Saudi Arabia, Sudan, Syrian Arab Republic, Yemen, Zimbabwe.

Against:

> Afghanistan, Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kiribati, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Maldives, Mali, Malta, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Namibia, Netherlands, New Zealand, Nigeria, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Ukraine, United

Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of).

Abstaining:

Angola, Bahrain, Belize, Benin, Bhutan, Brunei Darussalam, Cambodia, Côte d'Ivoire, Ethiopia, Guinea, Guinea-Bissau, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kazakhstan, Kenya, Malaysia, Mauritius, Mozambique, Nepal, Papua New Guinea, Qatar, Rwanda, Sierra Leone, Singapore, Swaziland, Turkey, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia.

Action on draft resolution A/C.3/71/L.20/Rev.1

26. At its 55th meeting, on 22 November, the Committee adopted draft resolution A/C.3/71/L.20/Rev.1 (see para. 29, draft resolution III).

27. After the adoption, statements were made by the representatives of the United States, Ghana (on behalf of the Group of African States), the Sudan, the Russian Federation, Saudi Arabia (on behalf of the Cooperation Council for the Arab States of the Gulf), Switzerland, Yemen, the Islamic Republic of Iran, Singapore and Morocco.

D. Draft decision proposed by the Chair of the Committee

28. At its 55th meeting, on 22 November, on the proposal of the Chair, the Committee decided to recommend to the General Assembly that it take note of the documents considered in connection with the promotion and protection of the rights of children (see para. 30).

III. Recommendations of the Third Committee

29. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Child, early and forced marriage

The General Assembly,

Reaffirming its resolution 69/156 of 18 December 2014 on child, early and forced marriage,

Recalling its resolutions 70/138 of 17 December 2015 on the girl child and 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, as well as Human Rights Council resolution 29/8 of 2 July 2015, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage",[1] and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] the Convention on the Rights of the Child[4] and the Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6] as well as other relevant human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[7] as well as the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

Taking note of the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth[10] and sixtieth[11] sessions,

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[1] See *Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] Ibid., vol. 1249, No. 20378.

[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.

[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[11] Ibid., *2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[12] and noting the integrated nature of the 2030 Agenda and the range of goals and targets relevant to eliminating child, early and forced marriage, including target 5.3,

Noting with appreciation the launch of the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, in March 2016, as well as regional, national and subnational initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage and the Regional Action Plan to End Child Marriage in South Asia, and further encouraging coordinated approaches to action at all levels,

Taking note with appreciation of the report of the Secretary-General,[13] which summarizes progress towards ending child, early and forced marriage worldwide,

Expressing concern about the continued prevalence of child, early and forced marriage worldwide, including the fact that there are still approximately 15 million girls married every year before they reach 18 years of age and that more than 720 million women and girls alive today were married before their eighteenth birthday,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses or impairs human rights and is linked to and perpetuates other harmful practices and human rights violations and that such violations have a disproportionately negative impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Noting with concern that poverty, insecurity and lack of education are among the root causes of child, early and forced marriage, that armed conflict and humanitarian emergencies are among the exacerbating factors and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Noting with concern also that deep-rooted gender inequalities and stereotypes, harmful practices, perceptions and customs, and discriminatory norms are not only obstacles to the full enjoyment of human rights and the empowerment of all women and girls but are also among the root causes of child, early and forced marriage, and that the persistence of child, early and forced marriage places children, in particular the girl child, at greater risk of being exposed to and encountering various forms of discrimination and violence throughout their lives,

Recognizing that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives and also that the empowerment of and investment in women and girls, as well as their meaningful participation in all decisions that affect them, are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical, inter

[12] Resolution 70/1.
[13] A/71/253.

alia, for sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that raising awareness of the harmful consequences of child, early and forced marriage, including among men and boys, can contribute to promoting social norms that support efforts by girls and their families to end this harmful practice,

Recognizing further men and boys as strategic partners and allies and that their meaningful engagement can contribute to transforming discriminatory social norms that perpetuate child, early and forced marriage, ending this practice and achieving gender equality and the empowerment of women and girls,

Noting with concern that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage, pregnancy, childbirth and/or childcare responsibilities, and recognizing that educational opportunities are directly related to the empowerment of women and girls, their employment and economic opportunities and their active participation in economic, social and cultural development, governance and decision-making,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence,

Recognizing also that the incidence and risk of child, early and forced marriage can increase during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster and that this requires increased attention, appropriate protection measures and coordinated action by relevant stakeholders, with the full and meaningful participation of the women and girls affected, from the early stages of humanitarian emergencies, and recognizing further the importance of addressing the increased vulnerability of women and girls to sexual and gender-based violence and exploitation in those situations,

1. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, parents and other family members, religious, traditional and community leaders, civil society, organizations led by girls, women's organizations, youth and human rights groups, men and boys, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage, to support girls and women who are at risk or have been subjected to this practice, including through the strengthening of child protection systems, protection mechanisms, such as safe shelters, access to justice and the sharing of best practices across borders;

2. *Also calls upon* States to enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend relevant laws and policies to

remove any provision that enables perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims;

3. *Further calls upon* States to strengthen their efforts to ensure the timely registration of births and marriages, especially for individuals living in rural and remote areas, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

4. *Calls upon* States to enact, build awareness of, enforce and uphold laws concerning a minimum age of marriage and to progressively amend laws with lower ages of marriage and/or ages of majority;

5. *Also calls upon* States to promote the meaningful participation of and active consultation with children and adolescents, especially girls, in all issues affecting them and to raise awareness about their rights, including the negative impact of child, early and forced marriage, through safe spaces, forums and support networks that provide girls and boys with information, life skills and leadership skills training and opportunities to be empowered, to express themselves, to participate meaningfully in all decisions that affect them and to become agents of change within their communities;

6. *Further calls upon* States and encourages other stakeholders to address gender stereotypes, discriminatory social norms and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness of its harm and the cost to society at large and by providing opportunities for discussion, in this regard, among others, within communities, including with the involvement of girls and boys, women and men, religious, traditional and community leaders, and parents and other family members, on the benefits of ending child, early and forced marriage and ensuring that girls and boys receive an education;

7. *Recognizes* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding and that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child, acknowledging the need to support their capacity to prevent and eliminate child, early and forced marriage and reaffirming that the best interests of the child will be their basic concern;

8. *Calls upon* States to promote and protect the right of women and girls to equal access to education through enhanced emphasis on free and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health, gender equality and the empowerment of women, human rights, physical, psychological and pubertal

development and power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and to develop respectful relationships, in full partnership with young persons, parents, legal guardians, caregivers, educators and health-care providers, in order to contribute to ending child, early and forced marriage;

9. *Urges* States to prevent and eliminate child, early and forced marriage by removing barriers to education, including by ensuring that married girls and boys, pregnant girls and women and young parents continue to have access to schooling, improving access to quality formal education and skills development, especially for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe and adequate sanitation, including for menstrual hygiene management, and adopting policies to prohibit, prevent and address violence against children, especially girls;

10. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring the rights of women and girls to inheritance and property, their equal access with men and boys to social protection, direct financial services, support and microcredit, to encourage girls to continue their education, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy and to promote women's equal access to full and productive employment and decent work, as well as equal political participation and rights to inherit, own and control land and productive measures;

11. *Urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women, girls and boys about their rights under relevant laws, training law enforcement officers, the judiciary, and professionals working with women and children and ensuring oversight of the handling of cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

12. *Urges* Governments to respect and protect the right to the enjoyment of the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, adolescent-friendly health services, sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, treatment and care, mental health services and nutrition interventions;

13. *Also urges* Governments to promote and protect the human rights of all women and girls, including the right of women, and those girls who have been subjected to child, early and forced marriage, to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the

International Conference on Population and Development,[8] the Beijing Platform for Action[9] and the outcome documents of their review conferences;

14. *Calls upon* States to develop, in consultation with women and, as appropriate, girls, and integrate into humanitarian responses, from the early stages of humanitarian emergencies, measures to address the increased vulnerability of women and girls to child, early and forced marriage and to protect women and girls from sexual and gender-based violence and exploitation during humanitarian emergencies, situations of forced displacement, armed conflict and natural disaster, including by ensuring their access to such services as health-care and education;

15. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, within their respective mandates, civil society and other relevant actors and human rights mechanisms to continue to collaborate with Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support those who were married as girls and boys;

16. *Affirms* the need for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, as appropriate, to enhance research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and to strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

17. *Encourages* Governments to include information on progress towards eliminating child, early and forced marriage in their national reports to relevant international treaty bodies and the universal periodic review and within the national voluntary reviews conducted through the high-level political forum on sustainable development under the auspices of the Economic and Social Council;

18. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventy-second session, on progress towards ending child, early and forced marriage worldwide, including, for the consideration of Member States, action-oriented recommendations for eliminating this practice, using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

19. *Decides* to consider the issue of child, early and forced marriage at its seventy-third session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.

Draft resolution II
Protecting children from bullying

The General Assembly,

Recalling its resolution 69/158 of 18 December 2014 on protecting children from bullying, all its previous resolutions on the rights of the child and the resolutions adopted by the Human Rights Council that are relevant to the protection of children from bullying,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child and that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein,

Recalling the United Nations Declaration on Human Rights Education and Training,[2] and noting the adoption of the United Nations Educational, Scientific and Cultural Organization Declaration of Principles on Tolerance,[3]

Welcoming the adoption of the 2030 Agenda for Sustainable Development in its entirety,[4] including goals and targets aimed at ending abuse, exploitation, trafficking and all forms of violence against and torture of children contained therein, and underscoring the importance of its implementation for ensuring the enjoyment of the rights of the child,

Taking note of the report of the Secretary-General,[5] including, in particular, its conclusions and recommendations,

Noting with appreciation the establishment of the Global Partnership to End Violence against Children and the "High time to end violence against children" initiative of the Special Representative of the Secretary-General on Violence against Children, and noting that they constitute platforms for multi-stakeholder engagement that can contribute to the prevention and elimination of violence against children, including forms of bullying,

Recognizing that bullying, including cyberbullying, can take both direct and indirect forms, from acts of violence and aggression to social exclusion, and that, although rates differ from country to country, bullying, online or in person, can have a negative impact on the rights of the child and is among children's main concerns, affecting a high percentage of children and compromising their health, emotional well-being and academic work, and acknowledging the need to prevent and eliminate bullying among children,

Recognizing also the importance of generating appropriate statistical information on bullying,

Concerned about the occurrence of bullying in different parts of the world and the fact that children who are victimized by such practices may be at heightened risk

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Resolution 66/137, annex.
[3] A/51/201, annex, appendix I.
[4] Resolution 70/1.
[5] A/71/213.

for a wide range of emotional problems, as well as potential long-term effects on the individual's ability to realize his or her own potential,

Concerned also that bullying is associated with long-lasting consequences that continue on into adulthood,

Noting with concern that children who are marginalized or vulnerable, who face stigmatization, discrimination or exclusion, are disproportionately affected by bullying, both in person and online,

Recognizing that bullying often includes a gender dimension and is associated with gender-based violence and stereotyping that negatively affects both boys and girls,

Noting the risks associated with the misuse of new information and communications technologies and applications, including increased vulnerability to bullying, while stressing that they can create new ways to enhance education and, inter alia, learn and teach about the rights of the child and can be useful tools to promote children's protection,

Noting also the role that information and communications technologies play in reducing the risk of sexual abuse and exploitation, including by empowering children to report such abuses,

Acknowledging the obligations and commitments of States to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, and, as appropriate, the implementation of educational measures to address behavioural practices that condone such violence,

Acknowledging also that the environments surrounding children can affect their behaviour and the important roles that parents, legal guardians, family members, schools, civil society, communities, State institutions and the media have in securing children's protection from the risks associated with bullying and in preventing all forms of violence against children,

Stressing that children should grow up in a family environment and in an atmosphere of happiness, love and understanding, given the important role that family plays in this regard, and acknowledging that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child,

Recognizing that evidence-based initiatives to strengthen children's life skills and respect for human rights, tolerance, concern for others and the responsibility to foster safety, as well as whole-school and whole-community programmes that fully respect all human rights, constitute best practices that should be developed, strengthened and shared through international cooperation,

Acknowledging that children's participation and their contributions need to be at the centre of efforts to prevent and address bullying,

1. *Calls upon* Member States:

(a) To take all appropriate measures to prevent and protect children, including in school, from any form of violence, including forms of bullying, by promptly responding to such acts, and to provide appropriate support to children affected by and involved in bullying;

(b) To continue to promote and invest in education, including as a long-term and lifelong process by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring such respect in all societies;

(c) To develop and implement, as appropriate, measures and restorative practices to repair harm, restore relationships, avoid recidivism, promote the accountability of perpetrators and change aggressive behaviour;

(d) To generate statistical information and data disaggregated by sex, age and other relevant variables at the national level, and to provide information on disability, with regard to the problem of bullying, as a basis on which to elaborate effective public policies;

(e) To adopt and strengthen, as appropriate, clear and comprehensive measures, including, where required, legislation that seeks to prevent and protect children from bullying and provides for safe and child-sensitive counselling and reporting procedures and safeguards for the rights of affected children;

(f) To strengthen the capacities of schools in early detection and response to prevent and respond to bullying, including cyberbullying, in particular initiatives to mobilize support to prevent and address this phenomenon, and to ensure that children are informed of any existing public policies to secure their protection;

(g) To raise public awareness, involving family members, legal guardians, caregivers, young people, schools, communities, community leaders and the media, as well as civil society organizations, with the participation of children, regarding the protection of children from bullying;

(h) To involve children in the development of initiatives to prevent and address bullying, including available support services, safe, accessible, age and child-sensitive, confidential and independent counselling and reporting mechanisms, and to inform them of available mental and physical health-care services and procedures in place to support them, where they exist, and encourages Member States to make such support services available;

(i) To share national experiences and best practices for preventing and tackling bullying, including cyberbullying;

2. *Encourages* Member States to continue to share with the Secretary-General, through existing processes and mechanisms, information about any initiatives undertaken at the national or subnational level to prevent and address bullying, including cyberbullying, to promote peaceful social interaction with a view to assessing progress, and to make use of the results achieved;

3. *Also encourages* Member States to adopt appropriate measures, such as plans of action on the prevention of and response to bullying, drawing on the experience of Member States, the United Nations, regional organizations, academia

and civil society actors and taking into account related recommendations of the entities of the United Nations system;

4. *Welcomes* the continued collaboration of the Special Representative of the Secretary-General on Violence against Children with human rights bodies and mechanisms, within their respective mandates, including the special procedures mandate holders of the Human Rights Council, in order to support efforts to prevent and address violence against children, including bullying;

5. *Invites* the Secretary-General, within existing resources, to facilitate further international efforts, in collaboration with Member States, to raise awareness of bullying, including through existing initiatives of United Nations specialized agencies, funds and programmes;

6. *Requests* the Secretary-General, within existing resources, to support, in cooperation with United Nations agencies and other relevant stakeholders, the organization of follow-up expert consultations at the regional level, promoted by Member States, upon their request, to raise awareness of the impact of bullying on the rights of the child and to share experiences and best practices in order to ensure the protection of children from bullying, to be pursued in line with the Convention on the Rights of the Child[1] and the recommendations contained in his report;[5]

7. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the implementation of the present resolution;

8. *Decides* to continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of the rights of children".

Draft resolution III
Rights of the child

The General Assembly,

Reaffirming the importance of its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,[1] which constitutes the standard in the promotion and protection of the rights of the child, reaffirming also that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention[2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Reaffirming also all of its previous resolutions on the rights of the child, the most recent of which was resolution 70/137 of 17 December 2015, and all other relevant resolutions, including 69/158 of 18 December 2014 on protecting children from bullying and 69/187 of 18 December 2014 on migrant children and adolescents,

Reaffirming further the Universal Declaration of Human Rights,[3] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, including that everyone has the right to freedom of movement and residence within the borders of each State and the right to leave any country, including his or her own, and to return to his or her country,

Recalling the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Rights of Persons with Disabilities,[5] the International Convention for the Protection of All Persons from Enforced Disappearance,[6] the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto,[8] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] the United Nations Convention against Transnational Organized Crime[10] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[11] the Convention on the Elimination of All

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.
[3] Resolution 217 A (III).
[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[6] Ibid., vol. 2716, No. 48088.
[7] Ibid., vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.
[9] Ibid., vol. 2220, No. 39481.
[10] Ibid., vol. 2225, No. 39574.
[11] Ibid., vol. 2237, No. 39574.

Forms of Discrimination against Women[12] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[13]

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,[14] the United Nations Millennium Declaration[15] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[16] recalling the Beijing Declaration and Platform for Action,[17] the Programme of Action of the International Conference on Population and Development[18] and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[19] the Declaration on Social Progress and Development,[20] the Universal Declaration on the Eradication of Hunger and Malnutrition,[21] the United Nations Declaration on the Rights of Indigenous Peoples[22] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[23] the Declaration on the Right to Development,[24] the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[25] the outcome document, entitled "The future we want", adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[26] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling also the World Congresses against Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development[27] and the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

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[12] Ibid., vol. 1249, No. 20378.
[13] Ibid., vol. 1465, No. 24841.
[14] A/CONF.157/24 (Part I), chap. III.
[15] Resolution 55/2.
[16] Resolution S-27/2, annex.
[17] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[18] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No.E.95.XIII.18), chap. I, resolution 1, annex.
[19] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No.E.96.IV.8), chap. I, resolution 1, annexes I and II.
[20] See resolution 2542 (XXIV).
[21] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No.E.75.II.A.3), chap. I.
[22] Resolution 61/295, annex.
[23] Resolution 69/2.
[24] Resolution 41/128, annex.
[25] Resolution 62/88.
[26] Resolution 66/288, annex.
[27] See A/69/76, annex, enclosure 2.

Underscoring the importance of the implementation of the 2030 Agenda for Sustainable Development[28] in ensuring the enjoyment of the rights of the child,

Welcoming other international, regional and bilateral partnerships to advance the protection of the rights of the child, including the Global Partnership to End Violence against Children, and recognizing that relevant multi-stakeholder coalitions are important to effectively promote and protect the rights of the child,

Taking note of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[29] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 70/137,[30] as well as the report of the Special Representative of the Secretary-General on Violence against Children,[31] the report of the Special Representative of the Secretary-General for Children and Armed Conflict[32] and the report of the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography,[33] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental

[28] Resolution 70/1.
[29] A/71/175.
[30] A/70/315.
[31] A/71/206.
[32] A/71/205.
[33] A/71/261.

damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, all forms of exploitation, including for the purposes of commercial sexual exploitation of children, such as child prostitution, child pornography and other sexual abuse material, child sex tourism and child sexual exploitation in travel and trafficking in children, including for the purpose of organ removal and for the transfer of organs of the child for profit, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Profoundly concerned also that the situation of children in many parts of the world remains negatively affected by the prolonged effects of the world financial and economic crisis, poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing its impact beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and communities,

Expressing deep concern that, despite the recognition of the right of the child to express his or her views freely on all matters affecting him or her, with his or her views given due weight in accordance with the age and maturity of the child, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right has yet to be fully realized,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Deeply concerned also that approximately 5.9 million children under the age of 5 die each year, mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality sexual, reproductive and maternal health-care services, as well as newborn and child health care and services, early childbearing, as well as lack of access to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, including breastfeeding, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 10 of its resolution 68/147 of 18 December 2013, urges States that have not yet done so to consider acceding to the Convention

on the Rights of the Child[1] and to the Optional Protocols thereto[2] as a matter of priority and to implement them effectively and fully, and encourages further efforts by the Secretary-General in this regard;

2. *Notes* the entry into force on 14 April 2014 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[14] and calls upon States to consider its accession, ratification and implementation;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[14]

4. *Welcomes* the work of the Committee on the Rights of the Child, and, taking into account the adoption of its general comments and its actions to follow up on its concluding observations on the implementation of the Convention and recommendations, calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations, observations and general comments on the implementation of the Convention;

5. *Also welcomes* the attention paid to the rights of the child by the Special Representatives of the Secretary-General on Violence against Children and for Children and Armed Conflict and the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography, and, in this regard, their contribution to the progress achieved in the promotion and the protection of the rights of children;

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

6. *Reaffirms* paragraphs 11 to 14 of its resolution 68/147, and calls upon States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

7. *Calls upon* States to develop gender- and age-sensitive policies and capacities to ensure the rights and address the particular needs of children, including migrant children, and prevent and respond to cases of gender-based violence;

8. *Notes with concern* the large number of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, and children of indigenous origin who are victims of discrimination, including racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views and the child's gender-specific needs, including children with special needs, in education programmes and programmes to combat these

[14] Resolution 66/138, annex.

practices, and calls upon States to provide special support and to ensure equal access to services for those children;

9. *Urges* all States to respect, protect and promote the right of girls and boys to express themselves freely, and their right to be heard, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them, and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

10. *Recognizes* that discrimination against any child on the basis of disability is a violation of the inherent dignity and worth of the child, and expresses grave concern that children with disabilities face violations of their human rights, as well as discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community;

Registration, family relations, adoption and alternative care

11. *Reaffirms* paragraphs 15 to 19 of its resolution 68/147, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to birth registration, family relations and adoption or other forms of alternative care;

12. *Encourages* States to consider accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[35] which takes into consideration the principle of the best interests of the child, and, in cases of international parental or familial child abduction, to engage in bilateral and, when appropriate, multilateral cooperation to resolve those cases by facilitating, inter alia, the return of the child to his or her country of habitual residence, where the appropriate court can make a custody decision, taking into consideration the principle of the best interests of the child;

Economic and social well-being of children

13. *Reaffirms* paragraphs 20 to 29 of its resolution 68/147, calls upon all States and the international community to create an enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments, including the Sustainable Development Goals, and affirms that investment in children has high economic and social returns and that all related efforts to ensure that resources allocated and spent for children, especially on children's education and health, should serve as a means for the fulfilment of the rights of the child;

14. *Emphasizes* the role of international cooperation in support of national and subnational efforts and in raising the capacities, including at the community level, for the fulfilment of the rights of the child, through, inter alia, the enhancement of cooperation with the human rights mechanisms, relevant United Nations agencies, funds and programmes, including through the provision of technical and financial assistance, upon the request of and in accordance with the priorities set by the States concerned;

[35] United Nations, *Treaty Series*, vol. 1343, No. 22514.

15. *Calls upon* all States and the international community to cooperate, support and participate in the global efforts towards poverty eradication, by fulfilling their previous commitments, implementing the 2030 Agenda for Sustainable Development[28] and mobilizing all necessary resources and support in that regard, according to national plans and strategies, including through an integrated and multifaceted approach based on the rights and well-being of children;

Child labour

16. *Reaffirms* paragraphs 30 to 33 of its resolution 68/147, and urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest, and to promote education as a key strategy in this regard;

17. *Urges* all States that have not yet done so to consider ratifying both the Worst Forms of Child Labour Convention, 1999 (No. 182),[36] and the Minimum Age Convention, 1973 (No. 138),[37] of the International Labour Organization;

18. *Recognizes* that poverty and social exclusion, labour mobility, discrimination and lack of adequate social protection and educational opportunity, as well as lack of birth registration, all influence child labour;

Prevention and elimination of violence against children

19. *Reaffirms* paragraphs 34 to 39 of its resolution 68/147 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007 on the elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 34 of its resolution 68/147 and paragraph 3 of its resolution 69/158 and:

(a) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, including harmful practices in all situations, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(b) To protect children from all forms of violence, including by exercising due diligence, investigating, prosecuting and punishing the perpetrators of violence against all children and ending impunity, to provide protection as well as universal access to comprehensive social, physical and mental health and legal services and counselling for all victims and survivors, to ensure their full recovery and reintegration into society, and to address the structural and underlying causes of violence against all children through enhanced prevention measures, research and strengthened coordination and monitoring and evaluation;

(c) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence and harmful practices, including female genital mutilation, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations, including in schools;

[36] Ibid., vol. 2133, No. 37245.
[37] Ibid., vol. 1015, No. 14862.

20. *Also reaffirms* that violence against children is never justifiable and that it is the duty of States to protect children, including those in conflict with the law, from all forms of violence and human rights violations and to exercise due diligence to prohibit, prevent and investigate acts of violence against children, eliminate impunity and provide assistance to the victims, including preventing revictimization;

21. *Recalls* that 2016 marks the tenth anniversary of the submission of the United Nations study on violence against children to the General Assembly,[38] and welcomes the efforts of the Special Representative of the Secretary-General on Violence against Children in mainstreaming the study recommendations in the international, regional and national agenda;

22. *Expresses support* for the work of the Special Representative of the Secretary-General on Violence against Children, and recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through her regional and thematic consultations and field missions and thematic reports addressing emerging concerns;

23. *Urges* all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting the further implementation of the recommendations of the United Nations study on violence against children, encourages States to provide support to the Special Representative, including adequate voluntary financial support for the continued, effective and independent performance of her mandate, and invites organizations, including the private sector, to provide voluntary contributions for that purpose;

24. *Strongly condemns* the abduction of children, and calls upon all States to take all appropriate measures to secure their unconditional release, rehabilitation and reintegration and their reunification with their families or legal guardians, in accordance with the best interests of the child;

25. *Notes with appreciation* the adoption of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[39] encourages States to take effective measures for their dissemination and implementation, as appropriate, and invites relevant United Nations actors to support Member States, where appropriate, to this end through concerted efforts;

Promoting and protecting the rights of children, including children in particularly difficult situations

26. *Reaffirms* paragraphs 40 to 48 of its resolution 68/147, and calls upon all States to promote and protect all human rights of all children, to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to health care and inclusive and equitable quality

[38] See A/61/299.
[39] Resolution 69/194, annex.

education and social services, to consider implementing voluntary repatriation, reintegration or resettlement where appropriate and feasible, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

27. *Calls upon* all States to ensure, for children belonging to minorities and vulnerable groups and children in vulnerable situations, including migrant children and indigenous children, as well as children placed in alternative care and within the juvenile justice system and in detention, the enjoyment of all human rights regardless of migration status and access to health care, social services and education without discrimination and to ensure that all such children, in particular unaccompanied migrant children, those separated from their parents and primary caregivers and those who are victims of violence and exploitation, receive appropriate protection and assistance;

28. *Calls upon* States to ensure that migrant children in need of protection, particularly unaccompanied migrant children and those separated from their parents or primary caregivers, are, giving primary consideration at all times to the best interests of the child, referred to the relevant national child protection authorities and other relevant authorities;

Children and the administration of justice

29. *Reaffirms* paragraphs 49 to 57 of its resolution 68/147, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

30. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice;

31. *Encourages* States to develop and implement a comprehensive juvenile justice policy to protect and address the needs of children in contact with the law, with a view to promoting, inter alia, a commitment to improving the quality of education available to children placed in alternative care and within the juvenile justice system, crime prevention programmes, the use of alternative measures, such as diversion, restorative justice and community-based programmes that focus on the rehabilitation and reintegration of the child, and ensuring compliance with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

Prevention and eradication of the sale of children, child prostitution and child pornography

32. *Reaffirms* paragraph 58 of its resolution 68/147, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child for profit, child slavery, forced labour and the sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a

market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights and needs of victims effectively, including universal access to comprehensive social, physical and mental health and legal services, without discrimination of any kind, and counselling for all victims to ensure their full recovery and reintegration into society, and take effective measures against the criminalization of children who are victims of exploitation;

Children affected by armed conflict

33. *Reaffirms* paragraphs 59 to 70 of its resolution 68/147, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel, and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them, and to encourage age- and gender-specific support services, including sexual and reproductive health-care services, and takes note in this regard of the adoption of Security Council resolution 2225 (2015) of 18 June 2015;

34. *Recalls* that 2016 marks the twentieth anniversary of resolution 51/77, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created, welcomes the significant developments and achievements in the protection of children affected by armed conflict and in the implementation of the mandate since its creation, also welcomes the global consensus to end and prevent child recruitment and use in conflict and to protect them from all grave violations, further welcomes the efforts by the Special Representative to raise international awareness on the protection of children affected by armed conflict and the collaboration with the United Nations Children's Fund and other United Nations agencies, funds and programmes and regional organizations to improve the protection of children affected by armed conflict, and takes note with appreciation of the efforts of the Secretary-General and United Nations bodies to implement the monitoring and reporting mechanism on children and armed conflict;

35. *Urges* all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to give serious attention to, and to protect and assist child victims of, all violations and abuses of human rights and violations of international humanitarian law committed against children in situations of armed conflict, in accordance with international law, including the Geneva Conventions of 1949[40] and the Additional Protocols thereto of 1977;[41]

36. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law,

[40] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.
[41] Ibid., vol. 1125, Nos. 17512 and 17513.

and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

37. *Remains deeply concerned*, however, over the lack of progress on the ground in some situations and the deterioration in other situations where parties to armed conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict;

38. *Expresses its deep concern* about attacks, as well as threats of attacks, in contravention of applicable international law against schools and/or hospitals, and protected persons in relation to them, welcomes the publication of the guidance note on Security Council resolution 1998 (2011) of 12 July 2011 on attacks on schools and hospitals by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict in collaboration with the United Nations Children's Fund, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, and takes note of the adoption of Security Council resolution 2143 (2014) of 7 March 2014;

39. *Welcomes* in this regard the "Children, not soldiers" campaign initiated by the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations Children's Fund, in collaboration with other United Nations partners, aimed at ending and preventing, by the end of 2016, the recruitment and use of children by the national security forces concerned, looks forward to continuing efforts in this regard by the States concerned, and requests the Special Representative to report on progress in her next report to the General Assembly;

III
Migrant children

40. *Reaffirms* the New York Declaration for Refugees and Migrants,[42] welcomes the launch of a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration in 2018, and stresses the centrality of full respect for the human rights of all migrants, including migrant children;

41. *Also reaffirms* its previous resolutions on migrant children and adolescents, on the protection of migrants and on violence against woman migrant workers, the resolutions of the Commission on Human Rights and the Human Rights Council on the protection of the human rights of all migrants and the work of the various special mechanisms of the Council that have reported on the situation of the human rights and fundamental freedoms of migrants, particularly migrant children;

42. *Further reaffirms* that everyone, including all children, is entitled to all human rights and fundamental freedoms, without distinction of any kind, wherever the child is and regardless of his or her migration status;

[42] Resolution 71/1.

43. *Reaffirms* the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, including those of women and children, regardless of their migration status, in conformity with the Universal Declaration of Human Rights[1] and the international instruments to which they are party;

44. *Also reaffirms* that States, in accordance with their obligations under international law, are responsible for promoting and protecting the human rights and fundamental freedoms of all migrants, regardless of their migration status, including accompanied and unaccompanied children, including adolescents, within their territorial jurisdiction, and encourages States to promote national child and adolescent protection systems, in consultation with all sectors of society, including migrant communities, civil society organizations and other relevant actors;

45. *Recognizes* that international migration is a multidimensional reality of major relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive responses integrating development with due regard for social, economic and environmental dimensions and respecting human rights, and that migrants can make positive and profound contributions to economic and social development in their host societies and to global wealth creation;

46. *Expresses deep concern* regarding the large and growing number of migrant children, particularly those unaccompanied or separated from their parents or primary caregivers, who may be particularly vulnerable along their journey, and reaffirms the obligation of States to respect and protect the human rights and fundamental freedoms of those migrant children, regardless of their migration status, in accordance with States' obligations under international law, including international human rights law;

47. *Recognizes* that the migration of accompanied and unaccompanied children may be the result of diverse causes and factors, such as poverty, lack of social and economic opportunities in their communities of origin, the death of one or both parents, the search for family reunification, all forms of violence and lack of personal safety and/or the adverse effects of climate change, natural disasters or environmental factors;

48. *Takes note* of the report of the Secretary-General entitled "In safety and dignity: addressing large movements of refugees and migrants",[43] including the recognition that respect for the human rights of all those who leave their countries, regardless of their migration status, is a fundamental tenet;

49. *Emphasizes* the importance of protecting persons in vulnerable situations, in particular migrant children, and in this regard:

(a) Expresses concern about legislation adopted by some States that results in measures and practices that may restrict the human rights and fundamental freedoms of migrants, and reaffirms that, when exercising their sovereign right to enact and implement migratory and border security measures, States have the duty to comply with their obligations under international law, including international human rights law, in order to ensure full respect for the rights of migrants;

[43] A/70/59.

(b) Reaffirms that any type of return of migrant children, whether voluntary or otherwise, must be consistent with obligations under international human rights law and in compliance with the principle of non-refoulement;

(c) Reaffirms the commitment to combating racism, racial discrimination, xenophobia and related intolerance and discrimination against all migrants, including migrant children, and the stereotypes often applied to them, calls upon States to take measures to improve their integration and inclusion, as appropriate, with particular reference to access to education, health care, justice and language training with the aim of ensuring their adequate inclusion, as a positive asset to society, and in this regard welcomes the global campaign proposed by the Secretary-General to counter xenophobia;

50. *Encourages* States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] and requests the Secretary-General to continue his efforts to promote and raise awareness of the Convention;

51. *Welcomes* immigration programmes that allow migrant children to integrate fully into host countries, facilitate family reunification and promote a harmonious, tolerant and respectful environment, and encourages States that have not yet done so to consider the adoption of these types of programmes;

52. *Encourages* States to take into account the conclusions and recommendations of the study of the Office of the United Nations High Commissioner for Human Rights on challenges and best practices in the implementation of the international framework for the protection of the rights of the child in the context of migration[44] when designing and implementing their migration policies;

53. *Expresses the commitment* to protect the human rights of migrant children and to provide for their health, education and psychosocial development;

54. *Strongly reaffirms* that education is a fundamental human right, a basis for guaranteeing the realization of other human rights and is essential for sustainable development and the promotion of peace and tolerance, as well as key to achieving full employment and poverty eradication, and affirms that quality education provided in safe environments is instrumental in child protection strategies;

55. *Encourages* all States to prevent and eliminate discriminatory policies and legislation at all levels of government that deny migrant children access to an inclusive, equitable and non-discriminatory quality education at all levels, including vocational training, while taking into account the best interests of the child as a primary consideration, to foster the successful integration of migrant children into the education system and the removal of barriers to their education in host countries and countries of origin, facilitating the recognition of educational records and/or administrative requirements for school registration;

56. *Recognizes* that the right of the child to education can be severely hampered as a result of physical, psychological and sexual violence, as well as bullying, both in school and on the way to school, as well as online, which compromises learning outcomes and may lead to school dropout, and therefore calls

[44] A/HRC/15/29.

upon States to prevent and protect children, including migrant children, from bullying, including cyberbullying and other online risks, such as sexual violence and online exploitation, by generating statistical information, promptly and adequately responding to such acts and providing appropriate support and counselling to children affected by and involved in bullying;

57. *Notes with concern* that child, early and forced marriage disproportionally affects girls, including migrant girls, who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage and/or childbirth, recognizing that educational opportunities are directly related to women's and girls' empowerment, employment and economic opportunities and to their active participation in economic, social and cultural development, governance and decision-making;

58. *Calls upon* States to make primary education available, free and compulsory for all children, ensure free, equitable and quality secondary education and ensure that all girls and boys have access to quality early childhood development, care and pre-primary education;

59. *Calls upon* all States to give full effect to the right to education for all children, including migrant children, by taking all appropriate measures to eliminate obstacles to effectively accessing and completing education, such as the cost of education, hunger and poor nutrition, distance from home to school, the institutionalization of children, armed conflicts, all forms of violence in school, insufficient infrastructure, including lack of access to water and sanitation, the lack of adequate and physically and otherwise accessible schooling facilities for girls and children with disabilities, including access to adequate sanitation, and child labour or heavy domestic work, and to ensure that children who are institutionalized also enjoy the right to education;

60. *Calls upon* States to ensure the enjoyment by all children of all their civil, cultural, economic, political and social rights, without discrimination of any kind and regardless of their migration status, to take effective and appropriate measures to ensure the right of all children to the enjoyment of the highest attainable standard of physical and mental health, as well as access to quality, affordable and equitable health care and social services, without discrimination of any kind, and to ensure that all children, in particular victims of violence and exploitation, receive special protection and assistance;

61. *Calls upon* all States to take all measures necessary to ensure that the rights of the child, including the rights of migrant children, to life, survival and development and to the enjoyment of the highest attainable standard of physical and mental health are promoted, protected and fulfilled, without discrimination of any kind, including through the development and implementation of laws, strategies and policies that have a human rights approach, with appropriate budgeting and resource allocation and adequate investment in resilient and responsive health systems and public health services, with an adequately skilled, well-trained and motivated workforce, ensuring their availability, accessibility, affordability, acceptability and quality;

62. *Encourages* States to take into account the Guidelines for the Alternative Care of Children,[45] and to adopt and enforce laws and to improve the implementation of policies and programmes, budget allocation and human resources to support children, particularly children living in disadvantaged and marginalized families, to ensure that they are cared for effectively by their own families and communities, and to protect children growing up without parents or caregivers; where alternative care is necessary, decision-making should be in the best interests of the child, in full consultation with the child, as age appropriate, and with the child's legal guardians;

63. *Notes with concern* that there are many cases of unaccompanied children going missing every year, and encourages States to sufficiently investigate all cases of missing unaccompanied children and take all measures necessary to increase their protection, including by, inter alia, enhancing national capacities to identify, register and document new arrivals;

64. *Recognizes* the particular vulnerability of migrants in transit situations, especially children, including through national borders, and the need to ensure full respect for their human rights in these circumstances also;

65. *Urges* States to ensure that repatriation mechanisms allow for the identification and special protection of persons in vulnerable situations, including all migrant children, and to take into account, in conformity with their international obligations and commitments, the principle of the best interests of the child, clarity of reception and care arrangements and family reunification;

66. *Encourages* States to put in place, if they have not yet done so, appropriate systems and procedures to ensure that the best interests of the child are a primary consideration in all actions or decisions concerning migrant children, regardless of their migration status, and to use alternatives to the detention of migrant children;

67. *Underlines* that children, including adolescents, should not be subject to arbitrary arrest or detention based solely on their migration status and that the deprivation of the liberty of migrant children and adolescents should be a measure of last resort, under conditions that respect the human rights of each child and in a manner that takes into account, as a primary consideration, the best interests of the child;

68. *Reaffirms* that all individuals who have crossed or are seeking to cross international borders are entitled to due process in the assessment of their legal status, entry and stay, also reaffirms that States will consider reviewing policies that criminalize cross-border movements and will also pursue alternatives to detention while these assessments are under way, and recognizes that detention for the purposes of determining migration status is seldom, if ever, in the best interests of the child and that States will use it only as a measure of last resort, in the least restrictive setting, for the shortest possible period of time, under conditions that respect their human rights and in a manner that takes into account, as a primary consideration, the best interests of the child, and will work towards the ending of this practice;

[45] Resolution 64/142, annex

69. *Encourages* States to develop or enhance early childhood programmes targeted at assisting families facing especially difficult circumstances, including those headed by single parents or children, those living in the most vulnerable and disadvantaged situations and those living in extreme poverty or caring for children with disabilities;

70. *Recognizes* the importance of coordinating efforts among countries of origin, transit and destination, while also recognizing their roles and responsibilities to address the irregular migration of unaccompanied children and to safeguard their human rights, with due consideration for the protection of the best interests of the child;

71. *Requests* States to adopt concrete measures to prevent the violation of the human rights of migrants while in transit, including in ports and airports and at borders and migration checkpoints, to adequately train public officials who work in those facilities and in border areas to treat migrants respectfully and in accordance with their obligations under international law, including human rights law, and to take timely and appropriate measures to prevent the separation of migrant children from their parents or primary caregivers;

72. *Calls upon* countries of origin, transit and destination to facilitate family reunification as an important objective in order to promote the welfare and the best interests of migrant children, including adolescents, as applicable under national law, due process and the relevant provisions of the Convention on the Rights of the Child and the Optional Protocols thereto, and to comply with the consular notification and access obligations set forth in the Vienna Convention on Consular Relations[46] so that States may provide child-friendly consular assistance, as appropriate, including legal assistance;

73. *Bears in mind* that policies and initiatives on the issue of migration, including those that refer to border control and the orderly management of migration, must be in accordance with international human rights obligations in order to uphold the human rights and fundamental freedoms of all migrant children;

74. *Reaffirms emphatically* the duty of States parties to ensure full respect for and observance of the Vienna Convention on Consular Relations, in particular with regard to the right of all foreign nationals, regardless of their migration status, to communicate with a consular official of the sending State in case of arrest, imprisonment, custody or detention and the obligation of the receiving State to inform the foreign national without delay of his or her rights under the Convention;

75. *Calls upon* all States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance, that they have the right to maintain contact with their family through correspondence and visits from the moment that they are arrested, save in exceptional circumstances, and that no child is sentenced or subject to forced labour or corporal punishment or deprived of access to and provision of health care and services, hygiene and environmental sanitation, education, basic

[46] United Nations, *Treaty Series*, vol. 596, No. 8638.

instruction and vocational training, and to undertake prompt investigations of all reported acts of violence and ensure that perpetrators are held accountable;

76. *Reaffirms* the importance of the principle of access to justice, including for migrant children, convinced that, without access to justice, basic human rights cannot be fully realized;

77. *Also reaffirms* that all migrant children are entitled to equal protection by the law and that all persons, regardless of their migration status, are equal before the courts and tribunals and, in the determination of their rights and obligations in a suit at law, are entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law;

78. *Calls upon* States to promote and protect the rights of every child to be registered immediately after birth, to receive a birth certificate, to have a name from birth, to acquire a nationality and, as far as possible, to know and be cared for by his or her parents, in particular where the child would otherwise be stateless;

79. *Urges* States to respect the right of every child, including migrant children, to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference, and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity;

80. *Expresses its concern* that migrant children, including adolescents, may be exposed to serious human rights violations and abuses at various points in their journey, which can threaten their physical, emotional and psychological well-being, in the countries of origin, transit and destination, and that many irregular migrant children and adolescents may not be aware of their rights and may be exposed to crimes and human rights abuses committed by, inter alia, transnational criminal organizations and common criminals and include theft, kidnapping, extortion, threats, trafficking in persons, forced labour, child labour, sexual abuse and exploitation, physical harm and death;

81. *Recognizes* that women and girls account for almost half of all international migrants at the global level and the need to address the special situation and vulnerability of migrant girls by, inter alia, incorporating a gender perspective into policies and strengthening national laws, institutions and programmes to combat gender-based violence, including trafficking in persons and discrimination against girls;

82. *Expresses its concern* about the increase in the activities and profits of transnational and national organized crime entities and others who profit from crimes against migrants, especially migrant children, without regard for dangerous and inhumane conditions, in flagrant violation of national laws and international law and contrary to international standards;

83. *Also expresses its concern* about the high level of impunity enjoyed by traffickers and their accomplices, as well as other members of organized crime entities, and in this context the denial of rights and justice to migrant children, including adolescents, who have suffered from abuse;

84. *Encourages* States to cooperate effectively in protecting witnesses in cases of the smuggling of migrants, regardless of their migration status;

85. *Calls upon* States to ensure that the best interests of the child are a primary consideration in their legislation, policies and practices, including on integration, return and family reunification;

86. *Underlines* the right of migrant children to return to their country of citizenship in conformity with the principle of the best interests of the child and with full respect for human rights, and recalls that States must ensure that their returning nationals are duly received;

87. *Stresses* the importance of international, regional and bilateral cooperation in the protection of the human rights of migrant children, and therefore:

(a) Welcomes the consideration afforded to the issues of migration, development and human rights in the 2030 Agenda for Sustainable Development;

(b) Encourages States to strengthen international cooperation to advance the protection of the rights of the child and in particular to promote the participation of children, as appropriate, in multi-stakeholder coalitions such as the Global Partnership to End Violence against Children;

(c) Encourages States to promote the effective implementation of the 2030 Agenda, including the facilitation of safe, orderly and regular migration and mobility of people, including through the implementation of planned and well-managed migration policies;

(d) Expresses serious concern about the situation of vulnerability and risk faced by migrants in transit and destination countries, in particular migrant children, including adolescents, who are unaccompanied or separated from their families, who are forced to flee or decide to leave their homelands owing to multiple causes, and calls upon States of origin, transit and destination to work together to find effective and sustainable solutions, including within a framework of solidarity and regional and international cooperation;

(e) Emphasizes the need for reliable statistical data disaggregated by sex, age and migratory status on international migration, including on migrant children, and in that regard calls upon the United Nations system and other relevant international organizations and multilateral institutions to enhance their cooperation in the development of methodologies for the collection and processing of statistical data on international migration and the situation of migrant children in countries of origin, transit and destination and to assist Member States in their capacity-building efforts in this regard;

(f) Recognizes all efforts made by Governments, all relevant bodies, agencies, funds and programmes of the United Nations system, other relevant intergovernmental, regional and subregional organizations, including the International Organization for Migration and other organizations of the Global Migration Group, and non-governmental stakeholders, including the private sector, in addressing international migration and development for the benefit of both migrants and societies, and bearing this goal in mind emphasizes the need to strengthen partnerships among all relevant stakeholders;

(g) Requests all States, international and national organizations and relevant stakeholders to take into account in their policies and initiatives on migration issues the global character of the migratory phenomenon and to give due consideration to international, regional and bilateral cooperation in this field, including by undertaking dialogues on migration that include countries of origin, transit and destination, as well as civil society, including migrants, with a view to addressing, in a comprehensive manner, inter alia, its causes and consequences and the challenge of unaccompanied children and irregular migration, granting priority to the protection of the human rights of migrants;

IV
Follow-up

88. *Recalls* its resolution 69/157, in which it invited the Secretary-General to commission an in-depth global study on children deprived of liberty, to be funded through voluntary contributions, in this regard encourages Member States and United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to support the elaboration of the study, and invites the designated independent expert who will lead the study to update Member States on the progress made and to submit a final report to the General Assembly at its seventy-third session;

89. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its seventy-second session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on violence against children;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(d) To request the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining in the prevention and eradication of the sale of children, child prostitution and child pornography and the sexual exploitation and abuse of children;

(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive

dialogue with the General Assembly at its seventy-second session as a way to enhance communication between the Assembly and the Committee;

(f) To continue its consideration of the question at its seventy-second session under the item entitled "Promotion and protection of the rights of children", focusing on section III of the resolution entitled "Rights of the child" on the theme "Violence against children".

Documents considered by the General Assembly in connection with the promotion and protection of the rights of children

30. The Third Committee recommends to the General Assembly the adoption of the following draft decision:

The General Assembly takes note of the following documents submitted under the item entitled "Promotion and protection of the rights of children":

(a) Report of the Committee on the Rights of the Child;[1]

(b) Report of the Secretary-General on the status of the Convention on the Rights of the Child;[2]

(c) Report of the Secretary-General on collaboration within the United Nations system on child protection.[3]

[1] A/71/41.
[2] A/71/413.
[3] A/71/277.

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Rights of indigenous peoples

Report of the Third Committee

Rapporteur: Ms. Cécile **Mballa Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled:

"Rights of indigenous peoples:

"(a) Rights of indigenous peoples;

"(b) Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples"

and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item at its 17th and 18th meetings, on 17 October 2016, and considered proposals and took action on the item at its 55th meeting, on 22 November 2016. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Note by the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Peoples (A/71/228);

(b) Note by the Secretary-General transmitting the report of the Special Rapporteur on the rights of indigenous peoples (A/71/229).

[1] A/C.3/71/SR.17, A/C.3/71/SR.18 and A/C.3/71/SR.55.

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4. At its 17th meeting, on 17 October, the Committee heard an introductory statement by a representative of the Office of the United Nations High Commissioner for Human Rights.

5. At the same meeting, the Special Rapporteur on the rights of indigenous peoples made an introductory statement and engaged in an interactive dialogue with the representatives of Spain, the United States of America, Mexico, Colombia, Canada, the European Union, India, Morocco, Norway, Brazil, Denmark and the United Republic of Tanzania.

II. Consideration of draft resolution A/C.3/71/L.17/Rev.1

6. At its 55th meeting, on 22 November, the Committee had before it a draft resolution entitled "Rights of indigenous peoples" (A/C.3/71/L.17/Rev.1), which replaced draft resolution A/C.3/71/L.17 and was submitted by Argentina, Australia, Bolivia (Plurinational State of), Canada, the Central African Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Palau, Paraguay, Peru and Venezuela (Bolivarian Republic of). Subsequently, Armenia, Austria, Belize, Brazil, Chad, Chile, the Congo, Costa Rica, Cuba, Cyprus, Denmark, the Dominican Republic, El Salvador, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Malaysia, Malta, New Zealand, Norway, Panama, the Philippines, Poland, Slovenia, Spain, Sweden, Ukraine, the United States of America and Uruguay joined in sponsoring the draft resolution.

7. At the same meeting, the Secretary of the Committee read out a statement of programme budget implications of draft resolution A/C.3/71/L.17/Rev.1.

8. Also at the same meeting, the representative of the Plurinational State of Bolivia made a statement.

9. Also at its 55th meeting, the Committee adopted draft resolution A/C.3/71/L.17/Rev.1 (see para. 12).

10. After the adoption of the draft resolution, statements were made by the representatives of Ecuador, France (also on behalf of Bulgaria and Romania), the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the Russian Federation and Cameroon.

III. Draft decision proposed by the Chair

11. At its 55th meeting, on 22 November, on the proposal of the Chair, the Committee decided to recommend to the General Assembly that it take note of the note by the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Peoples (A/71/228), submitted under item 65 (a) (see para. 13).

IV. Recommendations of the Third Committee

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples, reaffirming its resolutions 65/198 of 21 December 2010, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013, 69/2 of 22 September 2014, 69/159 of 18 December 2014 and 70/232 of 23 December 2015, and recalling Human Rights Council resolutions 27/13 of 25 September 2014,[1] 30/4 of 1 October 2015[2] and 33/12 and 33/13 of 29 September 2016,[3]

Reaffirming the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014,[4] in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples, recalling the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples, and welcoming and reaffirming the commitments, measures and efforts undertaken by States, the United Nations system, indigenous peoples and other actors in its implementation,

Encouraging the active engagement of indigenous peoples in the implementation of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, including at the regional and global levels,

Welcoming the 2030 Agenda for Sustainable Development,[5] stressing the need to ensure that no one is left behind, including indigenous peoples, who will benefit from and participate in the implementation of the 2030 Agenda, and encouraging Member States to give due consideration to all the rights of indigenous peoples while implementing the 2030 Agenda,

Welcoming also Human Rights Council resolution 33/25 of 30 September 2016,[3] in which the Council amended the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, which shall provide the Council with expertise and advice on the rights of indigenous peoples as set out in the United Nations

[1] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53A* and corrigenda (A/69/53/Add.1 and Corr.1 and 2), chap. IV, sect. A.
[2] Ibid., *Seventieth Session, Supplement No. 53A* (A/70/53/Add.1), chap. III.
[3] Ibid., *Seventy-first Session, Supplement No. 53A* (A/71/53/Add.1), chap. III.
[4] Resolution 69/2.
[5] Resolution 70/1.

Declaration on the Rights of Indigenous Peoples[6] and assist Member States, upon request, in achieving the ends of the Declaration through the promotion, protection and fulfilment of the rights of indigenous peoples,

Reaffirming the United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Welcoming the first World Indigenous Games, held in Palmas, Brazil, from 23 October to 1 November 2015 with the participation of indigenous athletes from more than 20 countries, as well as the second such event, to be held in Canada in 2017, and recognizing the Games as a celebration of the diversity of cultural and social expressions of indigenous peoples,

Recognizing that violence against indigenous women and girls has a negative impact on their enjoyment of human rights and fundamental freedoms and constitutes a major impediment to women's full, equal and effective participation in society, the economy and political decision-making, and in this regard recalling Human Rights Council resolution 32/19 of 1 July 2016, entitled "Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls",[7] which brings closer attention to this issue,

Expressing concern that, in some cases, suicide rates in indigenous peoples' communities, in particular among indigenous youth and children, are significantly higher than in the general population,

Deeply concerned at the vast number of endangered languages, in particular indigenous languages, and stressing that, despite the continuing efforts, there is an urgent need to preserve, promote and revitalize endangered languages,

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting to future generations their histories, languages, oral traditions, philosophies, writing systems and literature,

Bearing in mind the importance of promoting respect for the rights of indigenous children, in particular combating the worst forms of child labour, in accordance with international law, including relevant human rights law and international labour law obligations,

Bearing in mind also the importance of the empowerment and capacity-building of indigenous women and youth, including their full and effective participation in decision-making processes in matters that affect them directly,

[6] Resolution 61/295, annex.

[7] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. V, sect. A.

including policies, programmes and resources, where relevant, that target the well-being of indigenous women and youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and the importance of taking measures to promote awareness and understanding of their rights,

Recognizing the importance of access to justice in the promotion and protection of the rights of indigenous peoples and individuals and the need to examine and take steps to remove obstacles to justice, especially for indigenous women, indigenous youth and indigenous persons with disabilities,

Underlining the responsibility of transnational corporations and other business enterprises to respect all human rights, applicable laws and international principles[5] and operate transparently and in a socially and environmentally responsible manner, and emphasizing the need to refrain from negatively affecting the well-being of indigenous peoples and to take further action towards corporate responsibility and accountability, including the prevention, mitigation and remed..ation of human rights abuses,

Recognizing the value and the diversity of the cultures and the form of social organization of indigenous peoples and their holistic traditional knowledge of their lands, natural resources and environment,

Recognizing also the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

Recognizing further the importance of facilitating indigenous peoples' livelihoods, which may be achieved by, inter alia, the recognition of their traditions, adequate public policies and economic empowerment,

Recognizing that the economic empowerment, inclusion and development of indigenous peoples, including through the establishment of indigenous-owned businesses, can enable them to improve their social, cultural, civil and political engagement, achieve greater economic independence and build more sustainable and resilient communities, and noting the contribution of indigenous peoples to the broader economy,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

Stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting their access to justice,

[5] Including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (A/HRC/17/31, annex).

1. *Notes with appreciation* the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,[7] and encourages all Governments to respond favourably to her requests for visits;

2. *Urges* Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to continue to implement, when appropriate, measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples[6] and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service, as well as among indigenous peoples, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Underscores* the importance of implementing the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[5] and reiterates the commitment of Member States to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Encourages* Member States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development[3] and in the elaboration of national programmes;

5. *Reaffirms* the decision to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first session of the General Assembly, in 2017, and that the event will take stock of the achievements of the preceding 10 years and assess the remaining challenges for the rights of indigenous peoples, and also consider the further follow-up to the Declaration, including the consideration of a third International Decade;

6. *Requests* the President of the General Assembly to make the arrangements necessary for the high-level event that will be held during the sixteenth session of the Permanent Forum on Indigenous Issues, in 2017, encourages the participation of Member States, the United Nations system, in particular the Permanent Forum, the Expert Mechanism and the Special Rapporteur, as well as indigenous peoples' representatives, institutions and organizations, in accordance with the established practice for their accreditation, and encourages Member States to raise awareness of this event;

7. *Encourages* States to organize activities to commemorate the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples at various levels, from local to national, including to raise public awareness of the Declaration, the progress achieved and the challenges remaining;

[7] A/71/229.

8. *Welcomes* the leadership of the Secretary-General and of the Under-Secretary-General for Economic and Social Affairs, as the responsible senior official of the United Nations system, in developing a system-wide action plan to ensure a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples,[10] raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard, and encourages the funds, programmes and specialized agencies of the United Nations system, resident coordinators and United Nations country teams to implement this plan in full alignment with national development needs and priorities;

9. *Encourages* Member States to work towards achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples in the light of the tenth anniversary of the adoption of the Declaration;

10. *Encourages* those States that have not yet ratified or acceded to the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization[11] to consider doing so;

11. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues and the United Nations Indigenous Peoples' Partnership, invites indigenous organizations and private institutions and individuals to do likewise, and notes the importance of accessibility, accountability, transparency and balanced geographical distribution in the management of these funds;

12. *Decides* to continue to observe in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, requests the Secretary-General to support the observance of the Day from within existing resources, and encourages Governments to observe the Day at the national level;

13. *Proclaims* the year beginning on 1 January 2019 the International Year of Indigenous Languages, to draw attention to the critical loss of indigenous languages and the urgent need to preserve, revitalize and promote indigenous languages and to take further urgent steps at the national and international levels, and invites the United Nations Educational, Scientific and Cultural Organization to serve as the lead agency for the Year, in collaboration with other relevant agencies, within existing resources;

14. *Encourages* States to consider including in their reports related to indigenous peoples and women information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the

[10] E/C.19/2016/5 and Corr.1.

[11] United Nations, *Treaty Series*, vol. 1650, No. 28383.

Beijing Declaration and Platform for Action",[12] and 56/4 of 9 March 2012, entitled "Indigenous women: key actors in poverty and hunger eradication";[13]

15. *Also encourages* States to consider including in their voluntary national reviews for the high-level political forum on sustainable development and their national and global reports information related to indigenous peoples on the progress made and challenges in the implementation of the 2030 Agenda for Sustainable Development, bearing in mind paragraphs 78 and 79 of the 2030 Agenda, and further encourages States to compile disaggregated data to measure progress and to ensure that no one is left behind;

16. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate structural and legal barriers to their full, equal and effective participation in political, economic, social and cultural life;

17. *Reaffirms* the importance of effective accountability with regard to violence against indigenous women and girls, including sexual violence, abuse and exploitation, and of taking adequate measures to combat such violence;

18. *Welcomes* the decision of the Commission on the Status of Women to place the issue of empowerment of indigenous women on the agenda of its sixty-first session as a focus area, and encourages States to participate actively in discussions on this issue;

19. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development policies and programmes at the national, regional and international levels, and encourages them to give due consideration to the rights of indigenous peoples in achieving the goals of the 2030 Agenda;

20. *Invites* the Expert Mechanism, the Permanent Forum and the Special Rapporteur to give due consideration, within their mandates, to the rights of indigenous peoples as related to the implementation of the 2030 Agenda;

21. *Encourages* Governments to redouble efforts to combat the worst forms of child labour, both in legislation and in practice, in the context of respect for the human rights of indigenous children, including through international cooperation, as appropriate;

22. *Encourages* States and entities of the United Nations system to strengthen international cooperation, including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

[12] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

[13] Ibid., 2012, *Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

23. *Encourages* the World Health Organization, the United Nations Children's Fund and other relevant United Nations agencies, funds and programmes, in accordance with their mandates, to carry out research and evidence-gathering on the prevalence of suicide among indigenous youth and children and good practices on its prevention and to consider developing, as appropriate, strategies or policies, consistent with national priorities, in cooperation with Member States, to tackle it, including through consultation with indigenous peoples, in particular indigenous youth organizations;

24. *Reaffirms* the request to the President of the General Assembly to conduct, within existing resources, timely, inclusive, representative and transparent consultations with Member States, indigenous peoples' representatives and institutions from all regions of the world, and existing relevant mechanisms of the United Nations, on the possible measures necessary, including procedural and institutional steps and selection criteria, to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them;

25. *Also reaffirms* the commitment made by the General Assembly at the World Conference on Indigenous Peoples to consider ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, and in this regard takes note with appreciation of the work undertaken thus far, led by the President of the General Assembly at its seventieth session, in preparing a compilation of the views presented during the consultations, including good practices within the United Nations regarding indigenous peoples' participation, which will form the basis for a draft text to be finalized and adopted by the Assembly during its seventy-first session;

26. *Decides* to continue its consideration of the question at its seventy-second session, under the item entitled "Rights of indigenous peoples", and to maintain in the provisional agenda the sub-item entitled "Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples".

13. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Document considered by the General Assembly in connection with the rights of indigenous peoples

The General Assembly takes note of the following document submitted under the item entitled "Rights of indigenous peoples":

Note by the Secretary-General on the status of the United Nations Voluntary Fund for Indigenous Peoples.[1]

[1] A/71/228.